

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**CIVIL REVISION APPLICATION No. 202 of 2006****For Approval and Signature:****HONOURABLE MR.JUSTICE KS JHAVERI****CHANDRAKANT GANGALAL THAKKER - Applicant(s)****Versus****VIJYABEN VALJIBHAI - Opponent(s)****Appearance :**

MR KV SHELAT for Applicant(s) : 1,
MR SATYAJIT SEN for Opponent(s) : 1,

CORAM : HONOURABLE MR.JUSTICE KS JHAVERI**Date : 01/08/2006****ORAL JUDGMENT**

1. By way of this Civil Revision Application under section 29(2) of The Bombay Rents, Hotel and Lodging House Rents Control Act, 1947, the applicant has prayed for quashing and setting aside the judgement and decree passed by the Appellate Bench of Small Causes Court of Ahmedabad in Regular Civil Appeal No. 43 of 1997 whereby the appellate bench dismissed the HRP suit no. 763 of 1983 by confirming the decree passed by the Single Judge, Small Cause Court no. 10, Ahmedabad in Rent Suit no. 763 of 1983.

2. Heard learned counsel for the parties. Both the parties are present in the Court today. As a result of hearing, the parties have arrived at a consensus as a result of which the following order is passed:

(i)The applicant shall vacate the disputed premises on or before 30th September 2008 and handover the peaceful possession of the same to the respondent latest by 01st October 2008.

(ii)The mesne profit as directed by the trial court shall be paid by way of Post Dated Cheques within a period of four weeks from today.

(iii)A usual undertaking shall be filed by the applicant and his family members within a period of two weeks from today.

3. With the above directions, the Civil Revision Application is disposed of. The parties are directed to abide by the above directions.

(K.S. JHAVERI, J.)

Divya//